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July 24, 2012

BY ECF

Hon. Jack B. Weinstein
United States District Court
Eastern District of New York
225 Cadman Plaza East
Brooklyn, NY 11201

Re: United States v. Kwan Miller
12 Cr 61 (JBW)

Dear Judge Weinstein:

Today, I received an ECF bounce from this Court confirming the grant of my request for an adjournment of the July 30th trial in Mr. Miller's case in order to provide me with time to review the enormous amount of discovery and prepare a defense. I apologize, but when I originally wrote to Your Honor seeking an adjournment, I should have included my availability in my letter. Your Honor adjourned Mr. Miller's trial to September 10, 2012, but I was previously ordered by Judge Dearie to commence a trial that same day in connection with United States v. Igor Pokrasov, 10 Cr 875 (RJD), a complex Medicaid/Medicare fraud case. I have attached hereto for Your Honor's review, a copy of the ECF bounce entered on May 3, 2012 in Pokrasov. This is my only present trial commitment through the end of the year. My next trial commitment is January 7, 2013, before Judge Gershon in connection with United States

v. Alex Zaretser, 10 Cr 771 (NG). And, that trial is anticipated to last about a month.

The Pokrasov trial will conclude before the end of the month of September. I am most respectfully asking Your Honor for some time after the Pokrasov trial concludes to resume my preparation for Mr. Miller's trial. Hopefully, a trial date in November, or later, if that is convenient with this Court. Mr. Miller obviously consents to an exclusion under the Speedy Trial Act until any new trial date.

The government has consented to this adjournment request.

Respectfully yours,

/JRF/

James R. Froccaro, Jr.

JRF:tp

From: ecf_bounces <ecf_bounces@nyed.uscourts.gov>
To: nobody <nobody@nyed.uscourts.gov>
Subject: Activity in Case 1:10-cr-00875-RJD USA et al v. Kam et al Notice of Hearing
Date: Thu, May 3, 2012 10:32 am

This is an automatic e-mail message generated by the CM/ECF system. Please DO NOT RESPOND to this e-mail because the mail box is unattended.

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U.S. District Court

Eastern District of New York

Notice of Electronic Filing

The following transaction was entered on 5/3/2012 at 10:31 AM EDT and filed on 5/3/2012

Case Name: USA et al v. Kam et al

Case Number: 1:10-cr-00875-RJD

Filer:

Document Number: 133

Docket Text:

NOTICE OF TRIAL DATE as to Igor Pokrasov: Due to the Court's unavailability, jury selection and trial that was previously scheduled to commence 6/18/12 has been rescheduled to 9/10/12 at 9:30 AM. All trial counsel have advised that they are available. Ordered by Judge Raymond J. Dearie on 5/3/12. (Chee, Alvin)

1:10-cr-00875-RJD-3 Notice has been electronically mailed to:

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1:10-cr-00875-RJD-3 Notice will not be electronically mailed to:

Mary Carr
Office of the Medicaid Inspector General